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7
8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11 JOHN KERR, EDWARD LI,
12 TIM BARNARD, and KENNETH
CURTIS, individually and on behalf of
all others similarly situated,

13 Plaintiffs,

14 vs.

15 ZACKS INVESTMENT RESEARCH,
16 INC., an Illinois corporation,
NATIONAL MARKETING
17 RESOURCES, LLC, a Missouri limited
liability company; PARADIGM
18 DIRECT LLC, a Delaware limited
liability company; RESPONSE
19 NORTH, LLC, a Utah limited liability
company; ZACKS INVESTMENT
20 MANAGEMENT, INC. an Illinois
corporation; and DOES 6-50, inclusive,

21 Defendants.
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CASE NO. 16-CV-01352 GPC BLM

**PLAINTIFFS' UNOPPOSED
MOTION FOR PRELIMINARY
APPROVAL OF SETTLEMENT**

Date: October 27, 2017

Time: 1:30 p.m.

Crtrm.: 2D (2nd Floor - Schwartz)

Judge: Hon. Gonzalo P. Curiel

1 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on October 27, 2017, at 1:30 p.m. in
 3 Courtroom 2D of the above captioned Court located at 221 West Broadway, San
 4 Diego, California 92101, the Honorable Gonzalo P. Curiel presiding, plaintiffs John
 5 Kerr, Edward Li, Tim Barnard, and Kenneth Curtis (“Plaintiffs”) will and hereby do
 6 move the Court for an order preliminarily approving the proposed settlement
 7 agreement entered into between Plaintiffs and defendants Zacks Investment
 8 Management, Inc., Zacks Investment Research, Inc., Response North, LLC,
 9 National Marketing Resources, LLC, and Paradigm Direct LLC.

10 This unopposed motion is made pursuant to Rule 23(e) of the Federal Rules
 11 of Civil Procedure and is made on the ground that the proposed settlement
 12 agreement merits preliminary approval in view of the extent of discovery conducted
 13 in this action, the arm’s-length nature of the settlement negotiations, the
 14 representation of the putative class by experienced counsel, the terms of the
 15 settlement, and other factors relevant to court approval of class action settlement
 16 agreements.

17 This motion is based on this Notice, the Memorandum of Points and
 18 Authorities filed herewith, the Declaration of Zach P. Dostart and attached exhibits
 19 filed herewith, the court record in this action, and any argument or evidence as the
 20 Court may consider at the hearing of this motion.

21 Dated: September 25, 2017

DOSTART HANNINK & COVENEY LLP

22
 23 /s/ Zach P. Dostart

24 ZACH P. DOSTART

25 Attorneys for Plaintiffs

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